

REMARKS

This application has been reviewed in light of the Office Action mailed on March 4, 2004. Claims 1-6 and 8-12 are pending in the application with Claims 1, 6 and 11 being in independent form. By the present Amendment, Claims 1 and 6 have been amended and Claims 11 and 12 have been canceled. No new matter or issues are believed to be introduced by the amendments.

Claims 1, 3, 4, 6, 8, 9, 10 and 11 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,818,438 issued to Howe et al. on October 6, 1998 ("Howe et al."); Claims 2, 5, and 10 were rejected under 35 U.S.C. § 103(a) over Howe et al. as applied to claims 1 and 6 in view of Mimura (U.S. Patent No. 5,812,769).

Independent Claims 1 and 6 have been significantly amended to better define Applicant's invention and to overcome the cited rejections. Claim 1, as amended, recites, inter alia:

A method for providing access to a consumer device (101), comprising the acts of:
electronically presenting to the consumer representations of services from a plurality of content providers (107, 108, 109), each service being respectively offered by one content provider from among said plurality of content providers (107, 108, 109);
receiving a selection (203) from the consumer for a demonstration of the features of the service offered by a specific one of content providers from among the plurality of content providers (107, 108, 109), and
responsive to receiving said selection (203), initiating a demonstration of said service features for the specific one of content providers;
querying the consumer at the termination of said demonstration to determine if the consumer wishes to subscribe to the services of the specific one of content providers;
and

providing the specific one of content providers access to the consumer device (101), in the case where it is determined that the consumer wishes to subscribe to the service of the specific one of said content providers.

Howe et al. is directed to providing interactive television services and for switching between television programs, such as to an interactive program session from another program (See Abstract). Howe overcomes technical obstacles between broadcast programming and interactive applications, combined with the difficulties of providing interactive services at any rate (see Howe et al. at Col. 3, lns. 10-15). Howe et al. discloses in the summary, an approach for viewer-friendly and virtually instantaneous transitioning from a first analog based television program to a second program, particularly an interactive application program, and further permits a similarly rapid and easily accomplished return to viewing the first program.

Howe et al., does not disclose or suggest the acts of (1) electronically presenting to a consumer representations of services from a plurality of content providers, (2) receiving a request from the consumer for a demonstration of the features of the service of a specific content provider. A demonstration of service features could include, for example, how many movie channels are offered, the type of sports package being offered, how many channels in total are being offered, the pricing structure for various package options and so on. (3) initiating a demonstration of such service features, (4) determining if the consumer wishes to subscribe to the services of the specific one of content providers. Howe et al. does not disclose or suggest a consumer making decisions regarding subscribing to a new service and unsubscribing from a present service, as recited in Claim 1. Rather, each of the content providers A-N in Howe et al. provide the

video service provider with one or more interactive applications which the video service provider may in turn provide to subscribers of the video service provider (See Howe et al. at Col. 7, Ins. 50-55). In other words, each of the respective content providers A-N provide (or funnel) their content through the single video service provider. However, the consumer at no point is faced with the decision of subscribing to the services of a particular content provider A-N.

Independent Claim 6 recites similar limitations as the limitations recited by independent Claim 1, and therefore the same arguments presented above for independent Claim 1 apply to independent Claim 6.

Hence, withdrawal of the rejections under 35 U.S.C. §102(b) and allowance of independent Claims 1 and 6 are respectfully requested. Claims 2-5 and 8-10 depend from Claims 1 and 6, respectively, and therefore include the limitations of Claims 1 and 6.

Accordingly, for the same reasons given for Claims 1 and 6, Claims 2-5, 8-10 and 12 are believed to contain patentable subject matter. Hence, withdrawal of the rejections under 35 U.S.C. §102(b) and allowance of Claim 2-5, 8-10 and 12 are respectfully requested.

Claims 2, 5 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Howe et al. in view of U.S. Patent No. 5,812,769 issued to Graber et al. on September 22, 1998 ("Graber et al.").

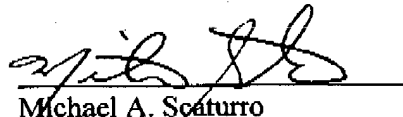
Claims 2, 5 and 10 depend from independent Claims 1 and 6, and therefore include the limitations of Claims 1 and 6. Accordingly, for the same reasons given for Claims 1 and 6, Claims 2, 5 and 10 are believed to contain patentable subject matter. Hence,

withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 2, 5 and 10 are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-6 and 8-10, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Dicron Halajian, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9607

Respectfully submitted,



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